

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

-against-

ANTHONY GARCIA,

Defendant.

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HURLEY, Senior District Judge:

By Order dated March 3, 2011, the Court entered a default judgment against defendant and referred this matter to Magistrate Judge Lindsay, pursuant to 28 U.S.C. § 636, for a Report and Recommendation (“Report”) as to the appropriate amount of damages, attorneys’ fees and costs to be awarded to plaintiff. On May 11, 2011, Judge Lindsay issued her Report, and on May 12, 2011, plaintiff filed proof of service of a copy of that Report upon the defendant. More than fourteen days have elapsed since such service, and neither party has filed objections.

The Court has reviewed the Report and now concurs in both its reasoning and its result. Accordingly, this Court adopts the May 11, 2011 Report and Recommendation of Judge Lindsay as if set forth herein. The Court therefore directs the Clerk of Court to enter judgment as follows: plaintiff recovers from defendant Garcia damages in the amount of \$41,342.56, plus interest in the amount of \$3.59 per day from November 4, 2010 to the date of judgment, and costs in the amount of \$35. Plaintiff shall not recover attorney’s fees.

SO ORDERED.

Dated: Central Islip, N.Y.
June 3, 2011

_____/s_____
Denis R. Hurley
United States District Judge